

ORIGINAL

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

In the Matter of

Amendment of Sections 74.1231
74.1232, 74.1233, 74.1284 of the
Commission's Rules

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MM Docket No. 97-____

RM-____

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: Mass Media Bureau

PETITION FOR RULE MAKING OF

THE AMERICAN COMMUNITY AM BROADCASTERS ASSOCIATION

The American Community AM Broadcasters Association ("ACAMBA"), pursuant to Section 1.401 of the Commission's rules, hereby respectfully petitions the Commission to initiate a rule making proceeding to amend §§ 74.1231, 74.1232, 74.1233, and 74.1284 of the Commission's rules to allow AM station licensees to become the licensees of and to rebroadcast their signals on FM translator stations as a fill-in service. In support of this Petition, ACAMBA states as follows:

Introduction

ACAMBA is a non-profit trade association comprised of 193 AM stations in approximately 37 states. Most members are independent AM stations that serve their local communities. ACAMBA's stated organizational purpose and goals are to (i) bring unity to AM broadcasters and to create a single vehicle to work toward needed changes and improvements for

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AM radio; (ii) centralize efforts for improving AM radio and representing the interests of AM broadcasters; and (iii) help AM stations obtain parity with other broadcast services through advocating and promoting beneficial changes throughout the industry.

As the broadcasting industry enters the 21st Century, AM broadcasters have formed ACAMBA to collectively work together to achieve long overdue and necessary regulatory, technical and commercial changes to ensure the viability of AM broadcasting into the future. Over the years, AM radio has suffered from a lack of representation and unity, which has caused it to significantly lag behind other broadcast services, both in the market place and in technical development. Now the efficient and productive use of the AM band is facing even greater and potentially fatal challenges as a result of deregulation and consolidation.

One great disadvantage faced by AM stations is in their ability to compete as a result of weak nighttime signals. However, there is a means by which this discrepancy can be cured. It would be to provide AM stations with the same advantage enjoyed by both FM and TV stations: that is, the ability to deliver their signals over translator stations. Currently, AM stations are the only service that is denied this privilege. As a result, they are incapable of serving the public and their community with the same efficiency and strength as other stations. ACAMBA submits that this rule should be amended as provided herein.

A. The Commission Should Amend the FM Translator Rules to Allow for the Retransmission of AM Broadcast Signals so as to Promote the Public Interest

Pursuant to Section 1.401(a) of the Commission's Rules, any interested person may petition the Commission for the amendment of a rule or regulation. As a trade association comprised of AM broadcasters, ACAMBA has a vested interest in promoting and protecting the

viability of AM stations. Thus, ACAMBA proposes modifying the Commission's FM translator rules to allow for the retransmission of AM signals, which would afford AM stations the opportunity to provide improved nighttime coverage to their local service areas. As required by §1.401(b) of the Commission's rules, the text of ACAMBA's proposed modifications is attached hereto. See Exhibit A.

It is a basic tenet of the Communications Act of 1934, as amended (the "Act"), that the Nation's airwaves are to be used in the most efficient manner possible to serve the public interest and necessity. See 47 U.S.C.A. § 151 (Supp. 1997) (establishing the Act for the purpose of "regulating interstate and foreign commerce in communication by wire and radio so as to make available, so far as possible, to all the people of the United States,... a rapid, efficient, Nation-wide, and world-wide wire and radio communication service..."); 47 U.S.C.A. § 309(a) (1991) (stating that "the Commission shall determine, in the case of each application filed with it..., whether the public interest, convenience, and necessity will be served by the granting of such application"); Turner Broadcasting System, Inc. v. FCC, 6 CR 829, 832 (1997) (citations omitted) (noting that "it has long been a basic tenet of national communications policy that the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public."); and FCC v. WNCN Listeners Guild, 450 U.S. 582, 586 (1981) (citations omitted) (stating that "the aim of the Act is to secure the maximum benefits of radio to all the people of the United States."). It is the Commission's mandate to promote this usage through the issuance of licenses for the development and exploitation of the Nation's radio frequency spectrum. Under Section 74.1231 of the Commission's rules, an FM translator may be used only to retransmit the signals of FM broadcast stations to areas where direct reception of the FM service is unsatisfactory. ACAMBA submits that this limitation on the use of FM translators

not only promotes inefficiencies, but ultimately is a disservice to the public interest. As such, ACAMBA proposes modifying this rule and other related rules as stated herein to enable FM translators to retransmit AM signals to areas where direct reception of the AM service is also unsatisfactory. More specifically, ACAMBA seeks modification of § 74.1231 of the Commission's rules to allow for the use of an FM translator station as a fill-in service for AM standalone stations (those stations without a commonly owned or programmed FM station) with a licensed daytime power not exceeding 2,500 watts and a licensed nighttime power not exceeding 500 watts. See Exhibit A.

ACAMBA asserts that although AM stations provide satisfactory daytime reception, their nighttime coverage is inadequate. Most AM stations operate at reduced power during the nighttime hours, thus, drastically reducing their reception areas. This reality places AM stations at a distinct disadvantage in their ability to serve the public and compete in the marketplace. Without the benefit of FM translators, many listeners lose reception of AM stations during the evening. If AM stations could utilize the FM translator service as a fill-in service to rebroadcast their nighttime signals, the reception by the public of AM service programming would be substantially improved during all hours of operation.

Granting AM stations the right to retransmit their signals on FM translators is not a novel concept. In fact, in several instances, the Commission already has approved the use of FM translators and boosters to rebroadcast AM signals, so as to overcome interference, especially at night. Since 1988, the Commission has allowed several AM stations in Alaska to use FM translators to rebroadcast AM signals (FCC File Nos. BLFT-970210TG, BLFT-960131TF,

BRFT-951201F8, BRFT-960111ZA, and BRFT-960111ZB).^{1/} See Exhibit B. In being granted the right access to FM translator for the retransmission of their signals, the AM stations in Alaska have been allowed to expand service to their community. As a result, the public has benefitted from this expanded use. ACAMBA applauds the Commission's realization of this useful benefit. The Alaskan AM stations have proven the benefit and viability of this mix of services. However, the same privilege must be granted to the AM stations, and most importantly, to the communities of the remaining states of the Union. This is certainly a more practical and community oriented use of FM translators. Local communities would greatly benefit by allowing AM stations with little or no power for nighttime transmission the ability to apply for FM translators to rebroadcast their stations.

**B. Allowing FM Translators to Retransmit AM Signals
Promotes Competition in the Marketplace**

As noted above, amendment of the FM translator rules to allow for the retransmission of AM stations, would afford AM stations the opportunity to maintain their nighttime listening audience and to compete effectively with FM stations. AM stations have been providing a vital public service since the first radio transmissions were aired at the beginning of this century, and consequently, AM stations are integrally intertwined with the vitality and prosperity of local communities. However, increased competition through deregulation and market consolidation has struck a near fatal blow to the ability of AM stations to maintain their prominence in these communities. In fact, over the past few years the Commission has recognized the need to assist and encourage the development and utilization of the AM broadcast service. See, e.g.,

^{1/} The Commission has also permitted Station WAMB(AM), Donelson, Tennessee, an AM station that was experiencing nighttime signal interference, to rebroadcast on WAMB-FM-1, Donelson, Tennessee, an FM booster station.

Implementation of the AM Expanded Band Allotment Plan, 6 CR 964 (1997); and Review of the Technical Assignment Criteria for the AM Broadcast Service, 6 FCC Rcd. 6273 (1991).^{2/}

Not only do the disadvantages faced by AM stations exist on a commercial level, but they also exist on a technical level. In many cases, the inherent deficiencies in the AM broadcast signal require stations to lower, or in many cases, shut off their power at sunset. Although both FM and TV stations have the ability to construct and operate translator stations as a way to fill in gaps in their coverage and better serve their audience, the Commission has denied any similar opportunities for AM stations, which need this fill-in service the most.

^{2/} More specifically, the Commission noted:

AM radio was this country's first national medium of mass communications and, for more than a half century, its contribution to daily life in America was unquestioned. The AM service was a unifying force throughout the country, providing a wealth of news, information, entertainment, education, and political dialogue readily accessible to virtually all Americans. In the process, it literally revolutionized the fabric of our daily lives, our dialogue and our democracy.

Over the years, however, channel congestion and interference, both radio and environmentally induced, have dramatically increased in the AM band. Coincident with this growth has been a decline in the fidelity of AM receivers. As a consequence, during the last twenty years there has been a well-documented shift of AM listeners to newer mass media services that offer higher technical quality and better aural fidelity. This shift in listenership has clearly dulled the competitive edge of this once vital service.

Nonetheless, we believe that AM radio continues to hold a valuable place on the communications landscape. AM service provides a significant number of outlets that contribute to the vital diversity of viewpoints and programming available to Americans. Indeed, AM often offers the only radio service to listeners in a variety of circumstances, particularly those living in and traveling through rural areas. *In view of the undisputed public importance of the AM service, we believe that innovative and substantial regulatory steps must be taken to ensure its health and survival.*

For the past several years, the Commission has made an intensive effort to identify the service's most pressing problems and, where relevant and feasible, to adapt the regulatory environment for AM stations that will ameliorate those problems.

Id. at 6274-75 (emphasis added).

This is not the first time that this matter has been considered by the Commission. On two prior occasions, once in the early 1980s and again in the early 1990s, the Commission has considered proposals to change the FM translator rules to allow for retransmission of AM station signals.^{3/} One proceeding was initiated by the Rocky Mountain Broadcasters Association and the other was petitioned by the National Association of Broadcasters. In both occasions the proposed change was supported by the NAB. On both occasions the Commission denied the proposed rule change on the grounds that the behavioral characteristics of the frequencies in the AM band make translators unnecessary as a fill-in service. However, in both instances, the Commission failed to consider the fact that it is precisely those behavioral characteristics of the AM band which make translators so necessary. In most cases, AM stations, precisely because of the ground wave propagation characteristics of the AM signal, must reduce their power dramatically at night so as to protect other AM stations, particularly clear channel AM stations. It is precisely for this reason that ACAMBA's petition, unlike the prior petitions, proposes to limit those stations that would be permitted to use FM translators to stations with nighttime power that is no greater than 500 watts. Moreover, unlike the prior proposed rule changes, ACAMBA proposes to limit the location of these translators to locations outside the .5 mV/m contour of the AM station (as opposed to the 1 mV/m contour as has been previously proposed). Finally, the technical difficulties in rebroadcasting AM stations on FM translators that were cited

^{3/} Amendment of Part 74, Subpart L of the Commission's Rules pertaining to FM translators - Memorandum Opinion and Order (RM-2274), 49 RR 2d 1499 at para. 4 (Released July 15 1981) (the "Rocky Mountain Broadcasters petition"); In re Amendment of Part 74 of the Commission's Rules Concerning FM Translator Stations-NPRM (RM-5416; RM-5472), 5 FCC Rcd. 2106 at para. 83 (Released March 28, 1990) (the "Amendment of Part 74 NPRM"); In re Amendment of Part 74 of the Commission's Rules Concerning FM Translator Stations- Report and Order (RM-5416; RM-5472), 5 FCC Rcd. 7212 at para. 89 (Released December 4 1990) (the "Amendment of Part 74 R&O").

in the previous proceedings have since been resolved through technical innovation, as demonstrated by the Commission's grant of waivers for such use.

The fact that this proposed rule change has repeatedly been requested is testament to the need for the change. In fact, as stated above, since the Commission's actions denying the prior proposed rule changes, the Commission has itself waived the rule to allow certain FM translators to rebroadcast AM signals. Additionally, the landscape of the radio broadcasting industry has changed dramatically. Ownership deregulation has placed a great strain on the ability of small AM stations to compete. In fact, the Commission, in denying the NAB's petition in to change the FM translator rule in 1990, cited as an additional reason the fact that "the Commission is conducting a comprehensive proceeding to improve the AM radio service and to enhance the ability of such stations to compete in the marketplace. Thus , we believe that to approve the general use of FM translators by AM stations would contravene the goals of that action."

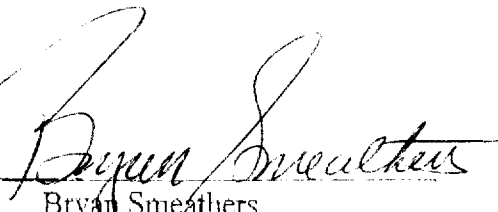
Amendment of Part 74 NPRM, at para. 83. However, those proceedings, which included the expanded AM band proceeding, have not sufficiently assisted the general deterioration of the viability of AM stations. In fact, only 88 stations have been allowed to apply for construction permits to migrate to the expanded band. Since the passage of the Telecommunications Act of 1996, the number of AM stations that have lost their licenses as a result of being dark and/or bankrupt has risen and have outnumbered FM and TV stations by several fold. As a result, without the ability to increase reception through the use of FM translators, AM stations will remain at a disadvantage. ACAMBA asserts that AM stations warrant a reasonable and affordable opportunity to compete. Accordingly, amending the FM translator rules to allow for the retransmission of AM signals will provide AM stations with an affordable means of improving their community service and competing effectively in the marketplace.

Conclusion

For all the foregoing reasons, ACAMBA respectfully requests that the Commission initiate the rule making requested herein and that it amend its FM translator rules accordingly.

Respectfully submitted,

AMERICAN COMMUNITY AM
BROADCASTERS ASSOCIATION

By: 
Bryan Smeathers
President

Dated: August 13, 1997

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EXHIBIT A

PROPOSED CHANGES TO THE FM TRANSLATOR RULES

§74.1231 Purpose and permissible service.

(a) FM translators provide a means whereby the signals of FM **and authorized AM** broadcast stations may be retransmitted to areas in which direct reception of such broadcast stations is unsatisfactory due to distance or intervening terrain barriers.

(b) An FM translator may be used for the purpose of retransmitting the signals of a primary FM **or authorized AM** radio broadcast station or another translator station which have been received directly through space, converted, and suitably amplified. However, an FM translator providing fill-in service may use any terrestrial facilities to receive the signal that is being rebroadcast. **FM Translators used to rebroadcast noncommercial educational programming shall be restricted to the that portion of the FM band which has been reserved by the Commission for noncommercial FM stations (Channels 201-221).** An FM booster station or a noncommercial educational FM translator station operating on a reserved FM channel (Channel 201-220) and owned and operated by the licensee of the primary noncommercial educational FM station it rebroadcasts may use alternative signal delivery means, including, but not limited to, satellite and terrestrial microwave facilities. Provided, however, that an applicant for a noncommercial educational FM translator station operating on a FM reserved channel (Channel 201-220) and owned and operated by the licensee of the primary noncommercial educational FM station it rebroadcasts complies with either paragraph (b)(1) or (b)(2) of this section:

(1) The applicant demonstrates that:

(i) The transmitter site of the proposed FM translator station is within 80 kilometers of the predicted 1 mV/m contour of the primary FM station to be rebroadcast **or the .5 mV/m contour of the authorized primary AM station to be rebroadcast**; or,

(ii) The transmitter site of the proposed FM translator station is more than 160 kilometers from the transmitter site of any authorized full service noncommercial educational FM station; or,

(iii) The application is mutually exclusive with an application containing the showing as required by §74.1231(b)(2)(i) or (ii); or,

(iv) The application is filed after October 1, 1992.

(2) If the transmitter site of the proposed FM translator station is more than 80 kilometers from the predicted 1 mV/m contour of the primary FM station to be rebroadcast, **or the .5 mV/m contour of the authorized primary AM broadcast station to be rebroadcast**, or is within 160 kilometers of the transmitter site of any authorized full service noncommercial educational FM station, the applicant must show that:

(i) An alternative frequency can be used at the same site as the proposed

FM translator's transmitter location and can provide signal coverage to the same area encompassed by the FM applicant's proposed 1 mV/m **or the authorized AM applicant's .5 mV/m contour**; or,

(ii) An alternative frequency can be used at a different site and can provide signal coverage to the same area encompassed by the FM applicant's proposed 1 mV/m **or the authorized AM applicant's .5 mV/m** contour.

NOTE: For paragraphs 74.1231(b) and 74.1231(h), auxiliary intercity relay station frequencies may be used to deliver signals to FM translator and booster stations on a secondary basis only. Such use shall not interfere with or otherwise preclude use of these frequencies for transmitting aural programming between the studio and transmitter location of a broadcast station, or between broadcast stations, as provided in paragraphs 74.531(a) and (b). Prior to filing an application for an auxiliary intercity relay microwave frequency, the applicant shall notify the local frequency coordination committee, or, in the absence of a local frequency coordination committee, any licensees assigned the use of the proposed operating frequency in the intended location or area of operation.

(c) The transmissions of each FM translator or booster station shall be intended only for direct reception by the general public. An FM translator or booster shall not be operated solely for the purpose of relaying signals to one or more fixed receive points for retransmission, distribution, or further relaying in order to establish a point-to-point FM radio relay system.

(d) The technical characteristics of the retransmitted signals shall not be deliberately altered so as to hinder reception on conventional broadcast receivers.

(e) An FM translator shall not deliberately retransmit the signals of any station other than the station it is authorized to retransmit. Precautions shall be taken to avoid unintentional retransmission of such other signals.

(f) A locally generated radio frequency signal similar to that of an FM broadcast station and modulated with aural information may be connected to the input terminals of an FM translator for the purpose of transmitting voice announcements. The radio frequency signals shall be on the same channel as the normally used off-the-air signal being rebroadcast. Connection of the locally generated signals shall be made by any automatic means when transmitting originations concerning financial support. The connections for emergency transmissions may be made manually. The apparatus used to generate the local signal that is used to modulate the FM translator must be capable of producing an aural signal which will provide acceptable reception on FM receivers designed for the transmission standards employed by FM broadcast stations.

(g) The aural material transmitted as permitted in paragraph (f) of this section shall be limited to emergency warnings of imminent danger and to seeking or acknowledging financial support deemed necessary to the continued operation of the translator. Originations concerning financial support are limited to a total of 30 seconds an hour. Within this limitation the length of

any particular announcement will be left to the discretion of the translator station licensee. Solicitations of contributions shall be limited to the defrayal of the costs of installation, operation and maintenance of the translator or acknowledgments of financial support for those purposes. Such acknowledgments may include identification of the contributors, the size or nature of the contributions and advertising messages of contributors. Emergency transmissions shall be no longer or more frequent than necessary to protect life and property.

(h) FM broadcast booster stations provide a means whereby the licensee of an FM broadcast station may provide service to areas in any region within the primary station's predicted, authorized service contours. An FM broadcast booster station is authorized to retransmit only the signals of its primary station which have been received directly through space and suitably amplified, or received by alternative signal delivery means including, but not limited to, satellite and terrestrial microwave facilities. The FM booster station shall not retransmit the signals of any other station nor make independent transmissions, except that locally generated signals may be used to excite the booster apparatus for the purpose of conducting tests and measurements essential to the proper installation and maintenance of the apparatus.

(i) For purposes of this Section, an "authorized AM station" shall be those stations with licensed daytime power not exceeding 2,500 watts and nighttime power not exceeding 500 watts, and "authorized AM applicant" shall mean an individual who does not have an attributable interest in any other FM station in the market or a company or partnership with regard to which no individual or entity holding an attributable interest shall also hold an attributable interest in any other FM station in the market, as defined in Section 73.3555.

NOTE: In the case of an FM broadcast station authorized with facilities in excess of those specified by §73.211 of this chapter, an FM booster station will only be authorized within the protected contour of the class of station being rebroadcast as predicted on the basis of the maximum powers and heights set forth in that section for the applicable class of FM broadcast station concerned.

§74.1232 Eligibility and licensing requirements.

(a) Subject to the restrictions set forth in paragraph (d) of this section, a license for an FM broadcast translator station may be issued to any qualified individual, organized group of individuals, broadcast station licensee, or local civil governmental body, upon an appropriate showing that plans for financing the installation and operation of the translator are sufficiently sound to assure prompt construction of the translator and dependable service.

(b) More than one FM translator may be licensed to the same applicant, whether or not such translators serve substantially the same area, upon an appropriate showing of technical need for such additional stations. FM translators are not counted as FM stations for the purpose of

§73.3555, concerning multiple ownership.

NOTE: As used in this section need refers to the qualify of the signal received and not to the programming content, format, or transmission needs of an area.

(c) Only one input and one output channel will be assigned to each FM translator. Additional FM translators may be authorized to provide additional reception. A separate application is required for each FM translator and each application shall be complete in all respects.

(d) An authorization for an FM translator whose coverage contour extends beyond the protected contour of the commercial primary station will not be granted to the licensee or permittee of a commercial FM radio broadcast station **or an authorized AM radio broadcast station**. Similarly, such authorization will not be granted to any person or entity having any interest whatsoever, or any connection with a primary FM **or AM** station. Interested and connected parties extends to group owners, corporate parents, shareholders, officers, directors, employees, general and limited partners, family members and business associates. For the purposes of this paragraph, the protected contour of the primary station shall be defined as follows: the predicted 0.5 mV/m contour for commercial Class B FM stations **or AM stations**, the predicted 0.7 mV/m contour for commercial Class B1 FM stations and the predicted 1 mV/m field strength contour for all other FM radio broadcast stations. The contours shall be as predicted in accordance with §73.313(a) through (d) **and Subpart A** of this chapter. In the case of an FM radio **or authorized AM** broadcast station authorized with facilities in excess of those specified by §73.211 **or Subpart A** of this chapter, a co-owned commercial FM translator station will only be authorized within the protected contour of the class of station being rebroadcast, as predicted on the basis of the maximum powers and heights set forth in that section for the applicable class of FM broadcast station concerned. An FM translator station in operation prior to March 1, 1991, which is owned by a commercial FM (primary) station and whose coverage contour extends beyond the protected contour of the primary station, may continue to be owned by such primary station until March 1, 1994. Thereafter, any such FM translator station must be owned by independent parties. An FM translator station in operation prior to June 1, 1991 which is owned by a commercial FM radio broadcast station and whose coverage contour extends beyond the protected contour of the primary station, may continue to be owned by a commercial FM radio broadcast station until June 1, 1994. Thereafter, any such FM translator station must be owned by independent parties.

(e) An FM translator station whose coverage contour goes beyond the protected contour of the commercial primary station shall not receive any support, before or after construction, either directly or indirectly, from the commercial primary FM **or authorized AM** radio broadcast station. Such support also may not be received from any person or entity having any interest whatsoever, or any connection with the primary FM **or authorized AM** station. Interested and connected parties extends to group owners, corporate parents, shareholders, officers, directors, employees, general and limited partners, family members and business associates. Such an FM translator station may, however, receive technical assistance from the primary station to the extent of installing or repairing equipment or making adjustments to

equipment to assure compliance with the terms of the translator station's construction permit and license. FM translator stations in operation prior to March 1, 1991 may continue to receive contributions or support from the commercial primary station for the operation and maintenance of the translator station until March 1, 1994. Thereafter, any such FM translator station shall be subject to the prohibitions on support contained in this section. Such an FM translator station may, however, receive technical assistance from the primary station to the extent of installing or repairing equipment or making adjustments to assure compliance with the terms of the translator station's construction permit and license. FM translator stations in operation prior to June 1, 1991 may continue to receive contributions or support from a commercial FM radio broadcast station for the operation and maintenance of the translator station until June 1, 1994. Thereafter, any such FM translator station shall be subject to the prohibitions on support contained in this section.

NOTE: "Technical assistance" refers to actual services provided by the primary station's technical staff or compensation for the time and services provided by independent engineering personnel. Conversely, such support must not include the supply of equipment or direct funding for the translator's discretionary use. "Technical assistance" must occur after the issuance of the translator's construction permit or license in order to meet expenses incurred by installing, repairing or making adjustments to equipment.

(f) An FM broadcast booster station will be authorized only to the licensee or permittee of the FM radio broadcast station whose signals the booster station will retransmit, to serve areas within the protected contour of the primary station, subject to Note, §74.1231(h).

(g) No numerical limit is placed upon the number of FM booster stations which may be licensed to a single licensee. A separate application is required for each FM booster station. FM broadcast booster stations are not counted as FM broadcast stations for the purposes of §73.5555 concerning multiple ownership.

(h) Any authorization for an FM translator station issued to an applicant described in paragraphs (d) and (e) of this section will be issued subject to the condition that it may be terminated at any time, upon not less than sixty (60) days written notice, where the circumstances in the community or area served are so altered as to have prohibited grant of the application had such circumstances existed at the time of its filing.

§74.1233 Processing FM translator and booster station applications.

(a) Applications for FM translator and booster stations are divided into two groups:

(1) In the first group are applications for new stations or for major changes in the facilities of authorized stations. In the case of FM translator stations, a major change is any change in frequency (output channel), or change (only the gain should be included in determining amount of change) or increase (but not decrease) in area to be served greater than ten percent of the previously authorized 1 mV/m contour. All other changes will be considered

minor. All major changes are subject to the provisions of §§73.3580 and 1.1104 of the rules pertaining to major changes.

(2) In the second group are applications for licenses and all other changes in the facilities of the authorized station.

(b) Applications for FM translator and booster stations will be processed as nearly as possible in the order in which they are filed. Such applications will be placed in the processing line in numerical sequence, and will be drawn by the staff for study, the lowest file number first. In order that those applications which are entitled to be grouped for processing may be fixed prior to the time processing of the earliest filed application is begun, the FCC will periodically release a Public Notice listing applications which have been accepted for filing and announcing a date (not less than 30 days after publication) on which the listed applications will be considered available and ready for processing and by which all mutually exclusive applications and/or petitions to deny the listed applications must be filed.

(c) In the case of an application for an instrument of authorization, other than a license pursuant to a construction permit, grant will be based on the application, the pleadings filed, and such other matters that may be officially noticed. Before a grant can be made it must be determined that:

(1) There is not pending a mutually exclusive application filed in accordance with paragraph (b) of this section;

(2) The applicant is legally, technically, financially and otherwise qualified;

(3) The applicant is not in violation of any provisions of law, the FCC rules, or established policies of the FCC; and

(4) A grant of the application would otherwise serve the public interest, convenience and necessity.

(d) Applications for FM translator stations proposing to provide fill-in service (within the primary station's protected contour) of the commonly owned primary station will be given priority over all other applications.

(e) Where applications for FM translator stations are mutually exclusive and do not involve a proposal to provide fill-in service of a commonly owned primary station, the FCC may stipulate different frequencies as necessary for the applicants.

(f) Where there are no available frequencies to substitute for a mutually exclusive application, the FCC will base its decision on the following priorities: (1) first full-time aural service; (2) second full-time aural service; and (3) other public interest matters including, but not limited to the number of aural services received in the proposed service area, the need for or lack of public radio service, and other matters such as the relative size of the proposed communities

and their growth rate.

(g) Where no frequency is available for an FM translator within the .5 mV/m contour of an authorized AM station applying for fill-in service, the Commission may, upon petition by the authorized AM station, relocate to that portion of the FM band reserved for non-commercial use (Channels 201-221) any FM translators within that contour which rebroadcast satellite delivered noncommercial FM signals .

(g) Where the procedures in paragraphs (d), (e) and (f) of this section fail to resolve the mutual exclusivity, the applications will be processed on a first-come-first-served basis.

§74.1284 Rebroadcasts.

(a) The term "rebroadcast" means the reception by radio of the programs or other signals of a radio station and the simultaneous retransmission of such programs or signals for direct reception by the general public.

(b) The licensee of an FM translator shall not rebroadcast the programs of any FM **or authorized AM** broadcast station or other FM translator without obtaining prior consent of the primary station whose programs are proposed to be retransmitted. The Commission shall be notified of the call letters of each station rebroadcast and the licensee of the FM translator shall certify that written consent has been received from the licensee of the station whose programs are retransmitted.

(c) An FM translator is not authorized to rebroadcast the transmissions of any class of station other than an FM **or authorized AM** broadcast station or another FM translator.

EXHIBIT B



United States of America

FEDERAL COMMUNICATIONS COMMISSION
FM BROADCAST TRANSLATOR/BOOSTER STATION LICENSE

Official Mailing Address:

NORTHERN LIGHT NETWORK
P.O. BOX 369
GLENNALLEN, AK 99588

Authorizing Official:

[Signature]

Dennis L. Williams
Assistant Chief
Audio Services Division
Mass Media Bureau

Grant Date: **APR 10 1997**

Call Sign: K235AD

This license expires 3:00 a.m.
local time, February 01, 1998

License File No.: BLFT-970210TG

This license covers Permit No.: BPFT-960429TB

Subject to the provisions of the Communications Act of 1934, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this license, the licensee is hereby authorized to use and operate the radio transmitting apparatus herein described.

This license is issued on the licensee's representation that the statements contained in licensee's application are true and that the undertakings therein contained so far as they are consistent herewith, will be carried out in good faith. The licensee shall, during the term of this license, render such broadcasting service as will serve the public interest, convenience, or necessity to the full extent of the privileges herein conferred.

This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequency designated in the license beyond the term hereof, nor in any other manner than authorized herein. Neither the license nor the right granted hereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934. This license is subject to the right of use or control by the Government of the United States conferred by Section 606 of the Communications Act of 1934.

Name of Licensee:

NORTHERN LIGHT NETWORK

Principal community to be served:

AK-Wrangell

Primary Station: KRSA(AM), Channel , PETERSBURG, AK

Via: LAND LINE

Frequency (MHz): 94.9

Channel: 235

Hours of Operation: Unlimited

Transmitter location (address or description):

AK-212 BENNETT STREET, WRANGELL

Antenna Coordinates: North Latitude : 56 28 15
West Longitude : 132 22 35

Transmitter: Type Accepted. See Sections 73.1660 and 74.1250
of the Commission's Rules.

Transmitter output power: 0.020 kW

Antenna type: (directional or non-directional): Non-Directional

Description: SHIVELY 6812-2, TWO SECTIONS

Major lobe directions (degrees true): Not applicable

	Horizontally Polarized Antenna	Vertically Polarized Antenna
Effective radiated power in the Horizontal Plane (kW).....:	0.018	0.018
Height of radiation center above ground (Meters).....:	27	27
Height of radiation center above mean sea level (Meters).....:	50	50

Antenna structure registration number: none

Overall height of antenna structure above ground
(including obstruction lighting if any): 31 Meters

Obstruction marking and lighting specifications for antenna structure:

It is to be expressly understood that the issuance of these specifications
is in no way to be considered as precluding additional or modified marking
or lighting as may hereafter be required under the provisions of Section
303(q) of the Communications Act of 1934, as amended.

None Required

Callsign: K235AD

License No.: BLFT - 970210TG

Special operating conditions or restrictions:

1. The permittee/licensee must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency radiation in excess of FCC guidelines.

*** END OF AUTHORIZATION ***



United States of America

FEDERAL COMMUNICATIONS COMMISSION
FX BROADCAST TRANSLATOR/BOOSTER STATION LICENSE

Official Mailing Address:

NORTHERN LIGHT NETWORK
P.O. BOX 369
GLENALLEN, AK 99588

Authorizing Official:

Robert D. Greenberg
Robert D. Greenberg
Supervisory Engineer
Audio Services Division
Mass Media Bureau

Grant Date: **APR 12 1996**

Call Sign: K235AJ

This license expires 3:00 a.m.
local time, February 01, 1998

License File No.: BLFT-960131TF

This license covers Permit No.: BPFT-950201TB

Subject to the provisions of the Communications Act of 1934, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this license, the licensee is hereby authorized to use and operate the radio transmitting apparatus herein described.

This license is issued on the licensee's representation that the statements contained in licensee's application are true and that the undertakings therein contained so far as they are consistent herewith, will be carried out in good faith. The licensee shall, during the term of this license, render such broadcasting service as will serve the public interest, convenience, or necessity to the full extent of the privileges herein conferred.

This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequency designated in the license beyond the term hereof, nor in any other manner than authorized herein. Neither the license nor the right granted hereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934. This license is subject to the right of use or control by the Government of the United States conferred by Section 606 of the Communications Act of 1934.

Name of Licensee:

NORTHERN LIGHT NETWORK

Principal community to be served:

AK-Haines

Primary Station: KRSA(AM), Channel , PETERSBURG, AK

Via: DIRECT

Frequency (MHz): 94.9

Channel: 235

Hours of Operation: Unlimited

Transmitter location (address or description):

AK-KHNS(FM) TOWER, TOWER ROAD, SOAP SUDS VALLEY, HAINES

Antenna Coordinates: North Latitude : 59 13 6
West Longitude : 135 25 29

Transmitter: Type Accepted. See Sections 73.1660 and 74.1250
of the Commission's Rules.

Transmitter output power: 0.054 kW

Antenna type: (directional or non-directional): Non-Directional

Description: SHIVELY 6812-2, TWO BAY

Major lobe directions (degrees true): Not applicable

	Horizontally Polarized Antenna	Vertically Polarized Antenna
Effective radiated power in the Horizontal Plane (kW).....:	0.050	0.050
Height of radiation center above ground (Meters).....:	17	17
Height of radiation center above mean sea level (Meters).....:	84	84

Overall height of antenna structure above ground
(including obstruction lighting if any): 24 Meters

Obstruction marking and lighting specifications for antenna structure:

It is to be expressly understood that the issuance of these specifications
is in no way to be considered as precluding additional or modified marking
or lighting as may hereafter be required under the provisions of Section
303(q) of the Communications Act of 1934, as amended.

None Required

Special operating conditions or restrictions:

1. The permittee/licensee in coordination with other users of the site must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency radiation in excess of FCC guidelines.

*** END OF AUTHORIZATION ***

LICENSE FOR AN
FM BROADCAST TRANSLATOR/BOOSTER STATION

Call Sign: K221DI

Subject to the provisions of the Communications Act of 1934, subsequent acts, and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to conditions set forth in this license, the licensee is hereby authorized to use and operate the radio transmitting apparatus hereinafter described.

1. Name of Licensee: VOICE FOR CHRIST MINISTRIES, INC.
2. License term ending 3 a.m. Local Time: APRIL 1, 1996
3. Principal community(ies) to be served: TANANA, ALASKA
4. Primary Station: KIAM (AM), NENANA, AK, 630 KHZ
5. Via: DIRECT
6. Operating assignment: Channel No. 221A 92.1 MHz
7. Hours of operation: Unlimited.
8. Transmitter: Type Accepted POWER PAK SYSTEMS, INC., SMX-40
EXCITER + 100 WATT AMPLIFIER
9. Transmitter power output: 100 watts (0.490 KW ERP)
10. Transmitting antenna location: 1.6 KM EAST OF TANANA, AK
11. North Latitude: 65 10 22
West Longitude: 152 02 07
12. Transmitting Antenna: SCALA, HDCA-5, FIVE ELEMENT YAGI
13. Antenna supporting structure: SIDE MOUNTED ON A POLE
14. Overall height above ground: 90 FEET (92 M=RCAMSL)
15. Main radiation lobe(s) oriented: 255 DEGREES, TRUE
16. Obstruction marking specifications: In accordance with the following paragraphs of FCC Form 715
(attached): NONE REQUIRED
17. Conditions: Not Applicable

The Commission reserves the right during said license period of terminating this license or making effective any changes or modification of this license which may be necessary to comply with any decision of the Commission rendered as a result of any hearing held under the rules of the Commission prior to the commencement of this license period or any decision rendered as a result of any such hearing which has been designated but not held, prior to the commencement of this license period.

This license is issued on the licensee's representation that the statements contained in licensee's application are true and that the undertakings therein contained, so far as they are consistent herewith, will be carried out in good faith. The licensee shall, during the term of this license, render such service as will serve the public interest, convenience, or necessity to the full extent of the privileges herein conferred.

This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term hereof, nor in any other manner than authorized herein. Neither the license nor the rights herein granted shall be transferred, assigned, or in any manner either voluntarily or involuntarily disposed of, or indirectly by transfer of control of the licensee, if a corporation, to any person without the written consent of the Commission. This license is subject to the right of use or control by the Government of the United States conferred by Section 606 of the Communications Act of 1934.

Dated: 4 APR 1990

FEDERAL
COMMUNICATIONS
COMMISSION



Thomas J. English